COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

LICKING VALLEY RURAL ELECTRIC COOPERATIVE CORPORATION, INC.)
) CASE NO. 92-549
ALLEGED FAILURE TO COMPLY WITH COMMISSION REGULATIONS 807 KAR 5:006))
AND 807 KAR 5:041	Š

ORDER

Licking Valley Rural Electric Cooperative Corporation, Inc. ("Licking Valley RECC"), a Kentucky corporation which engages in the distribution of electricity to the public for compensation for lights, heat, power, and other uses, and which was formed under KRS 279.010 to 279.220, is a utility subject to Commission jurisdiction. KRS 278.010; KRS 279.210.

KRS 278.280(2) directs the Commission to prescribe rules and regulations for the performance of services by utilities. Pursuant to this statutory directive, the Commission promulgated Commission regulation 807 KAR 5:041, Section 3, which requires electric utilities to maintain their plant and facilities in accordance with the standards of the National Electric Safety Code (1990 Edition). It has additionally promulgated Commission Regulation 807 KAR 5:006, Section 24, which requires a utility to adopt and execute a safety program.

Commission Staff has submitted to the Commission an Electrical Utility Accident Investigation Report dated December 2, 1992, appended hereto, which alleges:

- 1. On August 20, 1992, Craig Lykins, an employee of Licking Valley RECC, was electrocuted while setting a pole to raise a 7200 volt single phase line. He suffered the fatal electrical shock when, while guiding the pole, the cable from the boom that was attached to the pole came into contact with the energized line. At the time of the incident, Lykins was not wearing rubber gloves nor was the line deenergized or covered at the point of contact.
- 2. At the time of the incident, Clark Phipps, another Licking Valley RECC employee, was the person in charge of the crew in the process of setting the pole.
- 3. Licking Valley RECC's safety rules require that, when a pole is being set or removed between or near conductors energized above 600 volts, the conductors be deenergized or covered with protective devices and employees handling the butt of the pole wear rubber gloves.
- 4. Lykins' failure to wear rubber gloves while working near the energized conductor is a violation of Licking Valley RECC's safety rules.
- 5. Lykins' failure to deenergize the conductor or cover it with a protective device is a violation of Licking Valley RECC's safety rules.
- 6. Phipps' failure to ensure Lykins' use of rubber gloves while working near the energized conductor and to require the

deenergizing of the line or covering it with protective devices is a violation of National Electrical Safety Code, Section 42 (421A) which, <u>inter alia</u>, directs a foreman or person-in-charge to "see that the safety rules and operating procedures are observed."

- 7. At the time of the incident, Lykins and Phipps were employees of Licking Valley RECC and acting within the scope of their employment.
- 8. As a result of Lykins' and Phipps' failures, Licking Valley RECC is in probable violation of Commission Regulations 807 KAR 5:006, Section 24, and 807 KAR 5:041, Section 3.

The Commission, on its own motion, HEREBY ORDERS that:

- Licking Valley RECC shall submit to the Commission within
 days of the date of this Order a written response to the
 allegations contained in the Electrical Utility Accident
 Investigation Report.
- 2. Licking Valley RECC shall appear on February 5, 1993, at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, for the purposes of presenting evidence concerning the incident which is the subject of the Electrical Utility Accident Investigation Report, specifically the alleged violations of Commission Regulations 807 KAR 5:006, Section 24, and 807 KAR 5:041, Section 3, and of showing cause, if any it can, why it should not be subjected to the penalties of KRS 278.990 for its alleged failure to comply with Commission regulations.

3. The Electrical Utility Accident Investigation Report dated December 2, 1992 is hereby made a part of the record of this case.

Done at Frankfort, Kentucky, this 21st day of December, 1992.

PUBLIC SERVICE COMMISSION

Chairman

Vice Chairman

Commissioner

ATTEST:

Executive Director

ELECTRICAL UTILITY ACCIDENT INVESTIGATION

DATE OF THIS REPORT 12/2/92 SUBMITTED BY Robert Ueltschi
NAME OF UTILITY Licking Valley RECC
ACCIDENT REPORTED BY Sallie Jo Nickell, Manager of Office Services
DATE & TIME ACCIDENT OCCURRED 8/20/92 - 3:50 p.m.
DATE & TIME UTILITY LEARNED OF ACCIDENT 8/20/92 - Approximately
4:00 p.m.
DATE & TIME ACCIDENT REPORTED 8/20/92 - 4:00 p. m.
DATE OF ACCIDENT INVESTIGATION 8/21/92
DATE SUMMARY WRITTEN REPORT WAS RECEIVED FROM UTILITY 8/26/92
PERSONS ASSISTING IN THE INVESTIGATION Mr. Bill Duncan, Mr. Larry
Easterling, Mr. Jim Adkins - Licking Valley RECC and Mr. Greg
Morgan - Kentucky Association of Electric Cooperatives, Inc.
and Robert Ueltschi of the Public Service Commission
NAME OF VICTIM Mr. Craig Neil Lykins SEX M AGE 22
FATAL Yes NAME OF EMPLOYER Licking Valley RECC
INJURIES Electrocution
LOCATION OF ACCIDENT SITE Middle Fork off Route 30 in Magoffin
County.
DESCRIPTION OF ACCIDENT Mr. Clark C. Phipps, Mr. Densil Wheeler
and Mr. Craig N. Lykins, employees of Licking Valley RECC were
in the process of positioning a 35 foot Class 5 pole. The work
was being done to raise a 7200 volt single phase line. The
cable from the boom that was attached to the pole came in contact

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

with the 7200 volt phase. Mr. Craig was guiding the pole when
the cable came into contact with the phase and received electrical
shock.
SOURCE OF INFORMATION Mr. Clark C. Phipps and Mr. Densil Wheeler
PROBABLE VIOLATIONS OF COMMISSION REGULATIONS Mr. Clark C. Phipps,
1st class line person for Licking Valley RECC was in charge of a
crew in the process of setting a pole to raise a 7200 volt single
phase line. The evidence obtained from this investigation
indicates that Mr. Phipps was in probable violation of 807 KAR
5:041, Section 3(1). Acceptable Standards 1990 NESC, Section 42
(421A(1) and (2), duties of a first level supervisor or person in
charge. Additionally, Licking Valley RECC's Safety Manual,
519 d (1)(2), requires that when setting or removing poles between
or near conductors energized above 600 volts, the conductors be
deenergized or covered with protective devices and that workmen
handling the butt of the pole shall wear rubber gloves. Mr.
Lykins was not wearing rubber gloves, nor was the line deenergized
or covered at the point of contact.
RECOMMENDATIONS The Commission should consider action against
Licking Valley RECC pursuant to KRS 278.990
CORRECTIVE ACTIONS None

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued) LINE CLEARANCES

	_	As Measured	Minimum Allowed by NESC
A. AT POINT OF	ACCIDENT		(1961)
elevation:	etor to ground	16'-11 3/4"	15'-0"
elevation:	luctor to ground	15'-6"	15'-0
ground eleva	on conductor to	12'-1"	10'-0"
Phase condu	ctor to structure:	N/A	<u> </u>
Neutral con	ductor to structure	: <u>N/A</u>	N/A
Communication structure:	on conductor to	N/A	N/A
B. AT LOWEST P	OINT OF SPAN		
Phase condu elevation:	ctor to ground	16'-11 3/4"	15'-0"
Neutral con elevation:	ductor to ground	15'6"	15'-0"
Communicati ground elev	on conductor to ation:	12'-1"	10'-0"
C. SPAN LENGTE	419'		
Date the line or	facilities were co	nstructed	1955
Voltage of line	or facilities <u>72</u>	00 volts	
Date last inspec	ted by utility	June 1991	
Utility Licking	Valley RECC		
Date <u>8/21/92</u>	Time	8:45 a.m.	
Approximate temp	perature70	degrees F	

ELECTRICAL UTILITY ACCIDENT INVESTIGATION (Continued)

Measureme	ents mad	de by		Ar. Bil	l Duncan,	Mr.	Larry	Easterling	-
Licking	Valley	RECC	and	Robert	Ueltschi	o£	Public	Service_	
Commissi	on								
				Submit	ted by:	10	ow	· ·	

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EMPLOYER'S FIRST REPORT OF INJURY OF ILLUSER AND SUPPLEMENTARY RECORD UNDER THE DECUPATIONAL SATE FY AND HEALTH ACT

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Office Services

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08-21-92

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MONTH TALLEY

MAIN STREET P.O. DRAWER 605 WEST LIBERTY, KY 41472



BILL DUNCAN
General Manager

LVRECC Employee Craig N. Lykins Fatality

Date: Thursday, August 20, 1992

Location: Middle Fork, Magoffin County, Kentucky

Approximate Time: 3:30 to 3:45 p.m.

Transcript of Densil Wheeler interview held Friday, August 21, 1992, at the Licking Valley Rural Electric Cooperative Corporation (hereinafter referred to as LVRECC) Malone Warehouse Office. Present for the interview were LVRECC General Manager Bill Duncan, LVRECC Operations Supervisor Larry R. Easterling, Kentucky Public Service Commission Engineering Technical Associate Robert Ueltschi, and Kentucky Association of Electric Cooperative Safety Director Greg Morgan.

Densil Wheeler was asked to describe in his own words what had transpired at the accident site.

Densil Wheeler: We framed the A-1 straight line pole in the yard where we've been working near a two-span primary. needed to be set in to bring the wire up for clearance. Craig loaded the pole and backed the truck down to the hole where we I asked Craig if he wanted to dig the hole with the truck. He said, "No, I'd rather you dig it." It was kind of hard getting the digger up under the wire. We hit a TV cable or telephone cable that was in the way and couldn't get the digger under it so Clark (Phipps) went up in the bucket and pulled the cable back for me and I dug the hole down. was a lot of outgrowth, brush, and thick weeds. We took the thirty-five foot (35') pole off the truck, rotated it around to the back of the truck, from the left side to the right side which was the side the digger and pole hole was on. (Phipps) was holding the telephone cable back out of the way. We was going to let the pole down on the ground and Clark (Phipps) was going to go up to release the telephone cable. was going to let it go back and take the phase up when I got the pole down and I was going to reach across the neutral and bring the A-1 up on the opposite side of the neutral. rotated the boom around to the back of the truck and Craig had the pole. He (Craig) got the head pin and stationary tangled



LVRECC Employee Craig N. Lykins Fatality
August 21, 1992 Transcript of LVRECC Employee Densil Wheeler
Page 02 of 04

up in the weeds and I come off the truck and helped him get it through what I thought was all weeds where he was in the clear and could handle it from there. We probably had the pole five (5) foot off the ground long ways when I climbed back up on the I don't know whether my cable was against the truck. telephone cable that Clark (Phipps) was holding, whether it broke or give, but I must have had pressure against the telephone cable and whenever the telephone cable give, it let my boom swing and let the pole swing on the cable. When the cable swung over, it swung right into the phase. (Phipps) hollered. I saw a little arc and was trying to watch the boom and exactly to my right. I really couldn't see very good and was depending on Clark (Phipps) to see what I was going to do with the pole. The pole swung and got into the phase. Clark (Phipps) hollered for me and I hollered, "Craig", to see if he was okay. He wasn't, I saw him fall, and I didn't know what . . . , he just got . . . , I really didn't know what had happened because Clark (Phipps) just kept hollering. told Clark (Phipps) to get a gut to put over the line because it was into the cable and I was afraid to move because I didn't know if it had killed the line out or not. When I saw that Clark (Phipps) hadn't moved for a minute I got worried because I thought maybe he didn't have a gut. I didn't know that Clark (Phipps) had a gut with him because we really wasn't going to start setting the pole. We were just going to let the pole down and he (Clark Phipps) was going to put a gut on it and take it up. I jumped or bailed off the truck and went to Clark's truck, opened the side door and got out a gut. I saw him (Clark Phipps) come out of the bucket with one (a gut) and saw him start putting it on the line at the cable. When I saw the gut was alright I knew we would be okay on the line on his (Clark Phipps) part anyway so I told Clark, "Clark, come to me." I went to Craiq and rolled him over. There was no pulse or breathing so I ran to the truck, grabbed the mike and started hollering for help. After I got a hold of West Liberty and told them I needed an ambulance, I grabbed the mouthpiece (CPR mask) out of the glove compartment of the truck and went back to Craig and started CPR. It took Clark (Phipps) a minute or two to get the bucket back down to me. After Clark got down, he took over CPR on Craig. The more CPR we did on Craig it seemed the bigger his stomach got. Every time I breathed for him, his stomach just kept swelling on us and nothing came All I could hear was him gurgling. Then finally back out. the ambulance got there and they took over. That's all I know.

Greg Morgan: If you would for me Densil, tell me who was at the scene.

LVRECC Employee Craig N. Lykins Fatality August 21, 1992 Transcript of LVRECC Employee Densil Wheeler Page 03 of 04

Densil Wheeler: Sir, I'm not really sure, there was two men in the one ambulance. When they saw it was bad they called for assistance, then there was two more that came in the other ambulance.

Greq Morgan: Do you know where the ambulance came from?

Densil Wheeler: I don't know. (Larry R. Easterling answered Magoffin County). It took them about eight (8) or ten (10) minutes to get there I would say.

Greg Morgan: Was there anybody else at the site of the accident? Anybody from any of the houses?

Densil Wheeler: Not when it happened.

Greq Morgan: Did somebody come down later?

Densil Wheeler: Yes, there was a man that ran down later and asked me if he could do anything. I told him if didn't care to go down and watch for the ambulance at the end of the road.

Greg Morgan: Did he come from the houses at the end of the line?

Densil Wheeler: Yes, the one where we just added the two span primary on.

Greg Morgan: If you would, please tell me the names of the people who were with you at the job site, and list your own name, please.

Densil Wheeler: My name is Densil Wheeler. Clark Phipps and Craig Lykins.

Greg Morgan: And what was the job that you were supposed to do that day?

Densil Wheeler: We was to build a two-span primary and add an A-1 in a low clearance line right below where we added the two-span primary.

Greq Morgan: What was the voltage for the line?

Densil Wheeler: 7200 volts.

LVRECC Employee Craig N. Lykins Fatality August 21, 1992 Transcript of LVRECC Employee Densil Wheeler Page 04 of 04

Greg Morgan: What time did the accident occur?

Densil Wheeler: Somewhere around 3:30 to 3:45 p.m.

Greg Morgan: How long was it from the time of the contact until you called for help?

Densil Wheeler: Maybe thirty (30) seconds.

Greg Morgan: How long was it from the time of the contact until you started CPR?

Densil Wheeler: Maybe one (1) minute at the most.

Greg Morgan: Alright Densil, I appreciate it very much, you going though this. Robert, do you have questions for Densil?

Robert Veltschi: No.

Greg Morgan: Does anyone else have any questions for Densil? Anything else you want to add Densil?

Densil Wheeler: That's all I know.

LICKING TALLEY SURAL MEETING

MAIN STREET P.O. DRAWER 605 WEST LIBERTY, KY 41472



BILL DUNCAN
General Manager

LVRECC Employee Craig N. Lykins Fatality

Date: Thursday, August 20, 1992

Location: Middle Fork, Magoffin County, Kentucky

Approximate Time: 3:30 to 3:45 p.m.

Transcript of Clark C. Phipps interview held Thursday, August 27, 1992, at the Licking Valley Rural Electric Cooperative Corporation (hereinafter referred to as LVRECC) Malone Warehouse Office. Present for the interview were LVRECC General Manager Bill Duncan and LVRECC Operations Supervisor Larry R. Easterling.

Clark C. Phipps was asked to describe in his own words what had transpired at the accident site.

Clark C. Phipps: We was going to add an A-1 in a line to raise it higher for clearance. We had just finished a two span primary. When we got through I told the boys that I would pull down and let them back down. I pulled my truck down and stopped where I thought I should be, got out put my stiff legs down. Craig was backing the truck down and I stopped them where I thought they should be. They was preparing to dig the hole then about this time a school bus pulled up in front of my truck. I had to go around and talk to the woman. I asked her, "how many do you have" and she said, "three". I said, "well, it will take us a while to move both of these trucks so if it will be okay with you, I'll just walk them on up. She said, "okay". So they got off, two girls and a little boy, and I walked them around the side of the line truck then up above the next house. Their Mom was on the porch so I didn't go all the She was looking so I just waived at her because we had been working there all day. I went back behind the truck and the boys had the auger down under the telephone cable, but the cable was laying on the top of the boom. I told them I would get my stuff, all I needed, and go up into the bucket to raise the cable up a little. I got my stuff and Craig said, "do you need anything else?" I said, "yes, get my sleeves". I got into the bucket. Craig got my sleeves and pitched them up to me and I hung them astraddle the bucket. He (Craig) said,



LVRECC Employee Craig N. Lykins Fatality
August 27, 1992 Transcript of LVRECC Employee Clark C. Phipps
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"do you need your rubber gloves?" I said, "no, I have my rubber gloves", because I keep them on the side of the boom when it's not raining. If they're inside the truck sometimes he will get them. I went up in the bucket, raised the boom up, got a hold of the cable and pulled it over. I told Densil when we get ready to set the pole we have to set the pole on the other side and I told him I would pull the cable back over and lay it back on the boom out of the way so it won't hit the phase. So I just raised the television cable back over and up enough for them to work the boom. They dug the hole, put the auger up, swung the boom around. Densil let the cable off, put it on the pole, brought the pole off the truck and the pole dipped to the ground. It started hitting a little television cable pole on the right side so Densil raised the boom up. I was in the same position watching them. He (Densil) just kept raising it up until he cleared the television cable pole. said, "well, you're cleared, bring it around and lay it on the ground", the boom swung around. So when the boom swung around, to me it looked like there were plenty clearance, three foot probably from the line straight down beside the truck panel. I thought that was as far as we were going. I started raising my television cable on up a little higher, looked both ways to make sure I didn't get it into something. I was looking down at the pole hole all this time, then back and forth making sure I had enough clearance for them to swing the boom back around to get it under the line. Sometime during this I heard Craig yell, not very loud, just a little "oh". I looked around and Densil said we got the cable into the phase. He must have jumped from the truck. He said for me to get the line hose on, or rubber gut as we call them. I grabbed my rubber gloves and put them on, I saw the cable against the line and figured the fuse may have blown at the mouth of the branch. I slid the line hoes on and pushed it against the cable then started backing back. I was watching Craig, he walked over stood there looking at me and I thought at one time I heard him say, "what are you boys doing?" I thought he may have got shocked a All the time I was back in the back and I was watching little. He sat down and just started leaning over a little. said Densil call down there and tell them to get an ambulance up here. Densil got in the truck, I was still moving along a little at the time. Then he said, "where are we at?" At the time I couldn't think and I said look at the work order. it came to me and I said, "the first hollow below the Middle Fork School." Then I started coming on down. Densil jumped I saw Craig was laying on over told Densil out of the truck. to see if he (Craig) needed some air. Densil ran to Craig. I LVRECC Employee Craig N. Lykins Fatality August 27, 1992 Transcript of LVRECC Employee Clark C. Phipps Page 03 of 03

come on down and ran to him (Craig). I told Densil to get my mouth piece (CPR mask) and I tried to give him air and chest compressions (CPR), but I couldn't get a response. Densil kept saying, "Clark, there's no use, no use." I said, "Densil, we've got to try." Finally we just give up.

Bill Duncan: Larry do you have anything to ask?

Larry R. Easterling: No.

Bill Duncan: This was a 7200 volt line?

Clark C. Phipps: Yes, a 7200 volt line. And I feel it's all my fault because normally I go up, take the phase up and get it out of the way. The television cable, I was just trying to help the boys get in under it because it was so low.

Bill Duncan: Clark, how many years have you worked at Licking Valley RECC?

Clark C. Phipps: I believe this September it will be twenty years.

Bill Duncan: Do you have anything else you would like to add?

Clark C. Phipps: No.

Bill Duncan: Clark, thank you.



Registrar of Vital Statistics Certified Copy ATTACHMENT F



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Robert N. Hurst III., State Registrar